

Program Mission

To get and keep contaminants out of the environment.

Environmental Threats

The agency has identified nearly 9,000 contaminated sites in Washington. Roughly 6,000 of these are the result of an underground storage tank leaking into the environment and contaminating the soil and/or ground water.

Contamination at each site is unique and can pose a different type and level of risk to public health and the environment. For example:

- Soils contaminated by arsenic and covering several miles have been discovered in school playgrounds, parks, and backyards, as well as at industrial facilities.
- Fish and shellfish living near chemically contaminated sediments can retain toxins in their system and expose people to toxins when eaten. Contaminated sediments can also contribute to declining fish populations.
- Contamination can affect drinking water sources and exposes people to chemicals in the water they drink and use at home.

We know cleaning up contaminated sites protects human health and the environment. It's also important to note that restoring contaminated property and putting it back into productive use preserves undeveloped lands and preserves further decline of state resources such as fish and shellfish habitat.

Authorizing Laws

- *Chapter 70.105D RCW, Model Toxics Control Act*
- *Chapter 90.76 RCW, Underground Storage Tanks*
- *Chapter 90.48 RCW, Water Pollution Control Act*
- *Chapter 90.71 RCW, Puget Sound Water Quality Protection*

Constituents/Interested Parties

An important element of the Model Toxics Control Act (MTCA) is including the public and other interested parties throughout the process of cleaning up contaminated sites and developing new initiatives. The agency continues to build partnerships among government, industry, and citizens. Constituents interested in cleaning up contaminated sites include:

- *The Legislature*
- *State, Federal, and Local Governments*
- *Conservation and Environmental Groups*
- *Business and individuals engaged in the cleanup of contaminated sites*
- *Ports*
- *Insurance Companies*
- *Tribes*

Contaminated Site Cleanup Constituents also included:

- *Lender, Developers, Realtors*
- *Owners of Contaminated Sites*
- *Water Purveyors*
- *Citizens interested in, living near, or affected by contaminated sites*

Underground Storage Tanks Constituents also include:

- *Tank Owners/Operators*
- *Homes and business affected by leaking underground storage tanks*
- *Petroleum Companies*
- *Underground Storage Tank Service Providers*

Major Activities

Clean up the Worst Contaminated Sites First (Uplands)

One of the agency's highest priorities is to clean up contaminated sites. The agency focuses its resources on cleaning up sites that pose the greatest risk to public health and the environment. These are normally ones where the contamination threatens drinking water, exists in a large quantity, is very toxic, may affect a water body, or may affect people that are living, working, or recreating near the site. Contaminated sites range

from complex, highly industrialized properties to corner gas stations where a leak from an underground storage tank has occurred. The contamination may be in the soil, sediments, underground water, air, drinking water, and/or surface water.

Clean Sites Initiative: The agency's capacity to clean up sites and foster economic development had been restricted by the volatility of the funding source (Toxics Control Accounts) supporting the program. In 2001, given stronger oil prices revenue has been on the upswing, allowing the agency to request and receive funding for the "Clean Sites Initiative." This initiative will provide the agency with dollars to clean up sites where cleanup efforts had previously been delayed. It will also allow the agency to make payments to EPA for its share of cleaning up Superfund sites if revenue remains strong.

Voluntary Cleanup Program: The Department of Ecology's Voluntary Cleanup Program, created in October 1997, provides services to site owners or operators who initiate cleanup of their contaminated sites. Voluntary cleanups can be conducted in a variety of ways: completely independent of the agency, independent with some agency assistance or review, or with agency oversight under a signed legal agreement (an agreed order or a consent decree).

There are several ways sites can be cleaned up under the Voluntary Cleanup Program. These include consultations, prepayment agreements, prospective purchaser agreements, and brownfields redevelopment.

Area-wide Contamination

The agency is increasingly finding large areas or "mega-sites" (several acres to many square miles of land affected by historic smelting and mining activities – see below) with low to moderate levels of soil contamination caused by a range of historical activities. The agency is beginning to develop a strategy to address these area-wide contamination problems found in the western and eastern parts of the state. The strategy will focus on arsenic contamination from stationary

emission point sources and historic uses of agricultural products.

Worst First Cleanups (Aquatic)

In addition to cleaning up sediments, the agency addresses the environmental health of sediments in source control permits, manages sediment standards and regulations, and maintains a sediment information database. The agency also manages multi-agency sediment cleanup projects.

All Other Cleanup Related Priorities and Support

Superfund Coordination: Washington was the first state approved by the Environmental Protection Agency (EPA) to be a lead regulator, with no federal involvement, for a number of Superfund cleanup sites. In 1994, EPA and the Department of Ecology divided up additional military and Superfund sites, including privately owned sites. This redefinition of state and federal roles eliminates duplication and leads to more efficient cleanups. The agreement has received national recognition as a model of intergovernmental cooperation.

The agency is a national leader in the cleanup of military sites. Through partnering with the Department of Defense, the agency has overseen cleanup decisions for more military sites than any other state.

Underground Storage Tanks: The agency currently regulates about 11,189 active tanks on 4,074 different properties, including gas stations, industries, commercial properties, and governmental entities. The agency works to ensure these tanks are installed, managed, and monitored in a manner that prevents releases into the environment. To do so, the agency conducts compliance inspections on about 400 sites per year (most sites have multiple tanks) and provides technical assistance to tank owners.

State Agency Involvement: The agency has signed memorandums of understanding with the departments of Health, Transportation, Natural Resources, and the Pollution Liability Insurance

Agency. Each of these documents serves to define, in part, how the respective agencies will perform their responsibilities for cleaning sites throughout the state.

Local Government Involvement: The agency has seen an increase in interest in Remedial Action Grants. This program provides funding for local governments to clean up publicly owned contaminated sites and related work. The agency's priority will be to continue funding for existing projects at partial funding amounts in order to maximize the number of projects that can proceed, and then to work with new applicants on proposed projects. The agency is exploring ways to leverage existing grant dollars to cover the increased local government interest.

Measure Success: The number of contaminated sites the agency tracks across the state has reached 8,900. Of these sites, 51 percent have been cleaned up and require no further action, and 37 percent are in some stage of cleanup. Only 12 percent are awaiting further investigation or cleanup to occur. Of these sites, there have been 1,144 sites with owners/operators interested in conducting a voluntary cleanup. The number of sites where cleanups have been completed voluntarily has reached 591, while 553 sites have a voluntary cleanup under way.

The agency has been working with tank owners to get all tanks into compliance with EPA standards. About 96 percent of underground storage tanks now have leak detection equipment. All licensed tank owners have documented their ability to pay the costs of cleaning up releases in order to obtain operating permits.

Major Issues

Mega-Sites

The Tacoma Smelter Plume: The Tacoma Smelter plume is a "mega-site" for the agency. This site is an example of a very large "area-wide" contamination site.

Air emissions from the former Asarco Ruston smelter have contaminated 200 to 300 square

miles of primarily urban land in portions of King, Pierce, and Kitsap counties, including Vashon and Maury islands in King County. The plume covers tens of thousands of residential, commercial, and industrial properties, leaving behind elevated arsenic and lead in the surface soils. The sheer size of the area and the number of diverse communities within it call for a unique approach to cleanup, requiring a sophisticated, flexible, and adaptive management plan and implementation strategy.

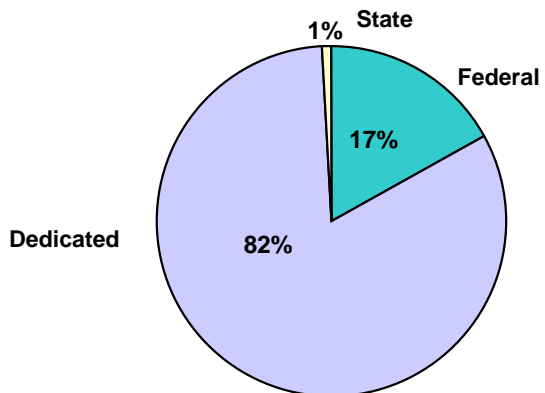
Spokane River: The Spokane River is another example of a mega-site. Historic mining activities in the Coeur d'Alene River Basin of Idaho have washed metals downstream, contaminating surface water, sediments, macroinvertebrates, and fish in the Spokane River. A health advisory issued in the summer of 1999 warns the public about specific locations along the beach where there are elevated levels of lead and arsenic in the soils.

Toxics Cleanup Program Funding Program Budget

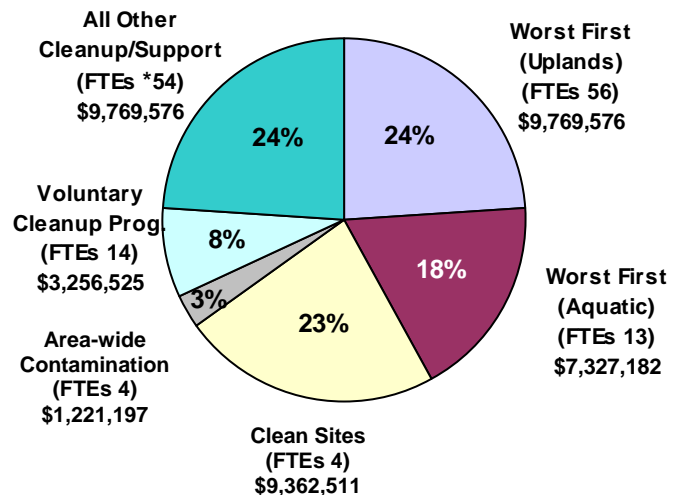
Budget: \$40,706,568; Staffing: 145 FTEs

State	(\$)	Amount	Sources	Uses
General Fund State	362,202		Multiple	Sediments Activities.
Federal				
General Fund – Federal	6,847,106		Federal Grants	Grant funds received from EPA and Dept. of Defense for cleanup at National Priorities List sites and federal Superfund sites at military facilities and technical assistance/cleanup related to leaking underground storage tanks.
Dedicated Funds				
State Toxics Control Account	27,389,069		Hazardous-substance tax; recovered remedial actions and penalties collected.	Clean up toxic sites, investigate and rank new toxic sites, prepayment cleanup, technical assistance, site information management, and natural resource damage assessment.
Recovered Leaking Underground Storage Tanks (LUST)	291,057		Recovery of LUST grant and state money spent on remedial actions at LUST sites.	Clean up lower risk sites, investigate and rank new toxic sites, prepayment cleanup, technical assistance, site information management, and natural resource damage assessment.
State Underground Storage Tank Account	2,335,564		Annual tank fees	Pollution prevention, inspection, and permitting activities related to underground storage tanks.
Worker Comm Right to Know	1,505,828		Hazardous Material Manufacturing	Public information compilation and dissemination.
Local Toxics Control Account	1,033,921		Hazardous Substance Tax	Sediments disposal project (MUDS).
Water Quality Permit Account	941,821		Fees on Wastewater Discharge	Sediment source control.

Toxics Program Dollars by Fund Source



Toxics Program Dollars by Activity



*This number includes 14 FTEs for the Underground Storage Tank program which also addresses pollution prevention in the program.